

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

SIX FLAGS ENTERTAINMENT  
CORPORATION

Plaintiff,

VS.

TRAVELERS CASUALTY AND  
SURETY COMPANY OF AMERICA

Defendants.

§

§

§

CIVIL ACTION NO. 4:21-cv-00693-P

§

§

§

§

§

**PLAINTIFF'S RULE 26 DESIGNATION OF EXPERTS**

Plaintiff Six Flags Entertainment Corporation ("Six Flags") files this Disclosure and Designation of Experts pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure and this Court's Scheduling Order (Dkt. 19).

**I.**

**NON-RETAINED WITNESSES WHO MAY TESTIFY TO OPINIONS  
WITHIN THE REALM OF THEIR EXPERTISE**

Plaintiff designates the following individuals who are not retained or specially employed to provide expert testimony but who may be called to offer opinions at trial based on the witness' background, education, experience or training.

**(1) Jonathan T. Suder**  
Shareholder  
Friedman Suder & Cooke  
604 East Fourth Street, Suite 200  
Fort Worth, Texas 76102  
Telephone (817) 334-0400

Mr. Suder has been licensed to practice law in the State of Texas for more than thirty-seven years. He is expected to testify regarding the reasonable and necessary attorneys' fees incurred by Plaintiff in this coverage action through trial and appeal, including but not limited to, the reasonable and necessary fees associated with the claims Plaintiff has asserted against Defendant and the normal and customary charges in Texas for the legal services rendered. Mr. Suder may

also testify regarding methods utilized to calculate attorneys' fees, as well as the factors considered to determine the reasonableness and necessity thereof, including all factors identified in *Arthur Anderson & Co. v. Perry Equip. Corp.*, 945 S. W. 2d 812, 818 (Texas. 1997).

Mr. Suder's cv, Bates labeled Six Flags 000001 to 000002, has been produced.

**(2) Nejat Ahmed**

Partner

LeMaster & Ahmed, PLLC

5700 Tennyson Parkway, Suite 310A

Plano, Texas 75024

Telephone: (972) 483-0410

Ms. Ahmed has been licensed to practice law in the State of Texas for more than nineteen years. She is expected to testify regarding the reasonable and necessary attorneys' fees incurred by Plaintiff in this coverage action through trial and appeal, including but not limited to, the reasonable and necessary fees associated with the claims Plaintiff has asserted against Defendant and the normal and customary charges in Texas for the legal services rendered. Ms. Ahmed may also testify regarding methods utilized to calculate attorneys' fees, as well as the factors considered to determine the reasonableness and necessity thereof, including all factors identified in *Arthur Anderson & Co. v. Perry Equip. Corp.*, 945 S. W. 2d 812, 818 (Texas. 1997).

Ms. Ahmed's cv, Bates labeled Six Flags 000003, has been produced.

**(3) Jennifer LeMaster**

Partner

LeMaster & Ahmed, PLLC

8777 West Rayford Rd.,

Suite 200 PMB 303

Telephone: (832) 356-7983

Ms. LeMaster has been licensed to practice law in the State of Texas for more than eighteen years. She may testify regarding the reasonable and necessary attorneys' fees incurred by Plaintiff through trial and appeal, including but not limited to, the reasonable and necessary fees associated with the claims Plaintiff has asserted against Defendant and the normal and customary charges in Texas for the legal services rendered. Ms. LeMaster may also testify regarding methods utilized to calculate attorneys' fees, as well as the factors considered to determine the reasonableness and necessity thereof, including all factors identified in *Arthur Anderson & Co. v. Perry Equip. Corp.*, 945 S. W. 2d 812, 818 (Texas. 1997).

Ms. LeMaster's cv, Bates labeled Six Flags 000004, has been produced.

**III.  
OTHER WITNESSES AND RESERVATION OF RIGHTS**

Plaintiff reserves the right to use testimony, either live or by deposition or by affidavit or ask questions live at trial, from any of the witnesses listed by any of the parties in this case or called to testify live at trial, whether in cross-examination, rebuttal, or direct testimony.

Plaintiff specifically reserve the right to call to testify and hereby designate any timely designated expert witness listed by any other party to this lawsuit, retained and/or non-retained. Plaintiff further reserves the right to elicit, by way of cross examination, opinions, testimony, and adverse testimony from experts and nonexpert witnesses designated and called by other parties to this suit. Plaintiff reserves the right to call undesignated rebuttal expert witnesses whose testimony cannot reasonably be foreseen until the presentation of the evidence in this trial. Plaintiff reserves the right to withdraw the designation of any expert and to aver positively that any such previously designated expert will not be called as a witness at trial, and to re-designate same as a consulting expert, who cannot be called by opposing counsel. Plaintiff hereby designates, as adverse parties, potentially adverse parties, and/or as witnesses associated with adverse parties, all parties to this suit, and all experts designated by any party to this suit, even if the designating party is not a party to this suit at the time of trial. In the event a future or present party designates an expert, but then is dismissed for any reason from the suit or fails to call any designated expert, Plaintiff reserves the right to designate and/or call any such party or any such experts previously designated by any party.

Additionally, Plaintiff reserves any unmentioned rights with regard to experts, pursuant to the Federal Rules of Civil Procedure, the Federal Rules of Civil Evidence, the case law regarding same and the rulings of this Court. Plaintiff reserves the right to elicit expert, lay or adverse

opinions by way of examination, cross-examination or other means, from those witnesses designated by any other parties who may have knowledge of relevant facts and/or have been designated as expert witnesses. Further, Plaintiff hereby reserves the right to call as trial witnesses those individuals designated as persons with knowledge by any other parties in this cause of action. If a business entity is designated as a person with knowledge herein, you may assume that the appropriate custodian of records may testify as a person with knowledge.

Respectfully submitted,

By: /s/ Nejat A. Ahmed

**JENNIFER B. LeMASTER**

Texas State Bar No. 24041063

jennifer@lalawtx.com

**NEJAT AHMED**

Texas State Bar No. 24034304

nejat@lalawtx.com

**LEMASTER & AHMED PLLC**

5700 Tennyson Parkway, Suite 310A

Plano, Texas 75024

Telephone: 972.483.0410

Facsimile: 972.483.0413

**ATTORNEYS FOR PLAINTIFF**

**SIX FLAGS ENTERTAINMENT CORPORATION**

**CERTIFICATE OF SERVICE**

This is to certify that on the 10th day of December 2021, a true and correct copy of the foregoing was transmitted via email to counsel for the parties as follows:

J. Price Collins  
price.collins@wilsonelser.com  
Ashley F. Gilmore  
Ashley.gilmore@wilsonelser.com  
Wilson Elser Moskowitz Edelman & Dicker LLP  
901 Main Street, Suite 4800  
Dallas, Texas 75202

**COUNSEL FOR DEFENDANT  
TRAVELERS CASUALTY AND SURETY  
COMPANY OF AMERICA**

/s/ Nejat A. Ahmed

Nejat A. Ahmed